

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

AMY POINTDEXTER,

Plaintiff,

v.

DAVOL, INC., and
C.R. BARD, INC.,

Defendants.

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Case No. 4:08-cv-0976-DGK

ORDER CONCERNING STATUS OF SETTLEMENT

On May 26, 2017, the parties reported that this case had settled. The parties never filed a motion to dismiss, however, so on September 6, 2017, the Court ordered Plaintiff to either file a motion to dismiss or the parties to file a joint status report.

On September 8, 2017, the parties filed a joint status report declaring:

The parties hereby state that an agreement has been reached between the parties. The agreement is currently being finalized, and a Stipulation of Dismissal will be filed as soon as the agreement is finalized.

Unfortunately, this explanation does not state when the parties expect the agreement will be finalized or when they anticipate a notice of dismissal will be filed—information the Court needs to manage its docket. Docket management is important here given that this case is already nine years-old and the parties reported it had settled over three months ago.

Accordingly, the Court ORDERS that on or before September 27, 2017, the parties shall file a joint report: (1) explaining precisely what the parties mean when they report the agreement is being “finalized,” and (2) identifying a date certain before October 31, 2017, when the notice of dismissal shall be filed.

The Court advises the parties that if the notice of dismissal is not filed by October 31, 2017, the Court will consider dismissing this case for failure to prosecute.

IT IS SO ORDERED.

Date: September 12, 2017

/s/ Greg Kays
GREG KAYS, CHIEF JUDGE
UNITED STATES DISTRICT COURT